IMPROPER AND ABUSIVE RECRUITMENT OF CHILDREN INTO THE U.S. ARMED FORCES

An Alternative Report to the U.S. Government Initial Report to CRC OPAC scheduled for review by the Committee on the Rights of the Child during its 48th Session in May - June 2008.

Submitted by the Women's International League for Peace and Freedom (WILPF) – U.S. Section

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I. INTRODUCTION

This report aims to provide independent information regarding the review by the Committee on the Rights of the Child (Committee) during its 48th session of the United States' compliance with the Optional Protocol to the Convention of the Rights of the Child on the Involvement of Children in Armed Conflict (CRC OPAC). National non-governmental, grassroots driven groups, such as the Women's International League for Peace and Freedom (WILPF), U.S. section, can play a key role in providing the Committee with information that is reliable, independent and representative of domestic concerns regarding the rights covered by the CRC OPAC.

In this report, WILPF, which represents 5,000 members in 69 branches in 39 U.S. States, along with the American Friends Service Committee, Peace Action, the Student Peace Action Network, Traprock Peace Center, Veterans for Peace and many grassroots local groups, some of which are listed in the Appendix to this report, will highlight one area of concern under article 3 of CRC OPAC, related to laws, policies and practices on the recruitment of young persons into the U.S. Armed Forces. In the face of mounting U.S. military casualties in Iraq and Afghanistan, military recruiters pressed to fulfill demand for new recruits have stepped up efforts to target children who are younger, come from low income families and economically depressed neighborhoods, including historically disadvantaged communities of color and immigrants. Given the pervasiveness of such efforts, our assessment will focus on the improper, abusive and coercive recruitment tactics employed to draw children into military service, disregarding their best interests and the particular safeguards and protections mandated by this Committee and the CRC OPAC.

This report contains information based on grassroots efforts, using WILPF-developed questionnaires, to gather information from young persons, school counselors, parents, and activists nation wide, including those drawn from WILPF branch members from Arizona, California, Massachusetts, New York, Oregon, Vermont, and Texas. Information was supplemented by research of U.S. laws, policies, and practices as well as secondary sources, such as studies, articles and materials from colleague organizations.

Several other organizations dedicated to stopping abusive military recruitment of minors have also provided information summarized in this report, such as: GI Rights Hotline, American Friends Service Committee of Boston, ESAC of Boston, Peace Action, American Civil Liberties Union of New York, the National Network Opposing Militarization of Youth in Schools, the National Coalition for Homeless Veterans, the Campus Antiwar Network, the Center on Conscience and War, and the San Diego Military Counseling Project.

WILPF respectfully requests that the Committee on the Rights of the Child consider this report, suggested questions to the U.S. government, and proposed recommendations the U.S. government for better compliance with CRC OPAC, during its 47th pre-sessional meeting in January - February of 2008, and during the 48th formal review session in May - June of 2008.

II. BRIEF OVERVIEW OF U.S. LAWS, POLICIES AND PRACTICES THAT GOVERN VOLUNTARY RECRUITMENT

Under current U.S. law, the five branches[1] of the all-volunteer military enlist males and females who are "qualified, effective and able-bodied who are not less than seventeen years of age."[2] Those under eighteen must have the written consent of a parent or guardian to formally enlist.[3] As this report will later detail, there is no requirement for parental consent or oversight over outreach and contacts between children, some as young as eleven,[4] and the more than 14,000 frontline military recruiters (out of 22,000 total military recruiters in 2006) and 370 contract civilian recruiters.[5] Moreover, both laws and lax supervision embolden recruiters to bypass the parental consent requirement. Recruiters need only obtain the signature of one parent if the parents are divorced,[6] which has led to reported cases of recruiters targeting children of low income single mothers.[7]

According to the Military Entrance Processing Command (MEPCOM) Regulations 601-23 cited in the government report to the Committee (para. 22), a married minor is automatically considered "emancipated" and as such does not require parental consent to enlist.[8] Given the lack of uniformity in the minimum age for marriage across the 50 states, parents who consent to their child's marriage may find that they have also, by default, permitted the enlistment of their younger-than-16 teenagers.[9]

Although the military accepts both male and female recruits from all backgrounds, statistics reflect targeted recruitment of racial and ethnic minorities, and of youths from underprivileged socio-economic backgrounds.[10] The U.S. Armed Forces recruits youths in all of

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[1] The U.S. Armed Forces consist of five military services: 1) Army; 2) Navy; 3) Air Force; 4) Marine Corps; and the 5) Coast Guard.
[2] 10 U.S. Code, sec. 505(a).
[3] *Id*.
[4] *See e.g.*, Medill School of Journalism Project, Middle schoolers become cadets in CPS program, *available at* http://observer.medill.northwestern.edu/301-wi06-sec04/02military_in_public_schools/02more_stories/ (last visited Oct. 23, 2007).
[5] United States Government Accountability Office (GAO), Military Recruiting: DOD and Services Need Better Data to Enhance Visibility Over Recruiter Irregularities, Doc. No. GAO-06-846 Military Recruiting (August 2006), pp. 8-9, *available at* http://www.gao.gov/new.items/d06846.pdf [hereinafter GAO 2006 Report].
[6] MEPCOM Regulation 601-23, at page 3-5, para. i(2) *available at* http://www.mepcom.army.mil/publications/pdf/regs/r-0601-023.pdf
[7] Interview with Aaron Pratt and Darren Elmore, Lowell High School students, by Virginia Pratt, WILPF Boston branch member, Oct. 7, 2007, in Lowell, MA (on file with author).
[8] MEPCOM Regulation 601-23, at page 3-5, para. i(5).
[9] Whereas in most states the minimum age for marriage is eighteen, many states permit marriages for children as young as 13 (albeit with parental or judicial consent). *See e.g.*, in New Hampshire, the marriage age is 14 for males and 13 for females, in cases of "special cause" with parental consent and court permission. Cornell Law School, Legal Information Institute, Marriage Laws of the Fifty States, District of Columbia and Puerto Rico, *available at* http://www.law.cornell.edu/topics/Table_Marriage.htm (last visited Oct. 22, 2007). Some states allow marriage at 16 or younger if the female is pregnant. In Georgia age of marriage in the case of pregnancy is 16 without parental consent. In North Carolina there is no age minimum for marriage in case of pregnancy or birth of child with parental consent. *Id.*
[10] *See* National Research Council, Committee on the Youth Population and Military Recruitment (CYPMR), *Assessing Fitness for Military Enlistment: Physical, Medical, and Mental Health Standards* (Washington DC, 2006) at 17-18, 21-23, 24, *available at* www.nap.edu [hereinafter CYPMR, Assessing Fitness]; *see also e.g.*, Jennifer Wedekind, *Military programs move into middle schools to fish for future soldiers* in The Children's Crusade (June 3, 2005), *available at http://www.inthesetimes.com/article/2136/*

its "territories and possessions" including the Commonwealth of Puerto Rico, the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.[11] The scope of U.S. military recruitment practices in schools, including compilation of directory information of students in these territories, serves to provide recruiters with access to even more vulnerable populations.

In 2002, the U.S. Congress passed the No Child Left Behind Act, authorizing access by military recruiters to secondary school campuses and students, and specifically to the names, addresses and telephone listings of all junior and senior high-school students.[12] The acts allows recruiters to contact students – without the consent of parents or guardians - at home by telephone calls, mail, and personal visits. Schools that fail to comply with this policy risk losing federal funding.[13] Given the prospect of loss of much needed federal educational funding, many cash-strapped schools make only feeble, if any, effort to notify students and parents of their right to "opt-out"[14] of having this information released to military authorities.

Before recruits formally sign their enlistment contracts and take their Oath of Enlistment, they must undergo a day long processing at a Military Entrance Processing Station (MEPS). The processing is primarily geared to screen out applicants who fall short of medical and physical standards. The government report in para. 22 refers to a "comprehensive briefing" provided during this processing stage through the Military Entrance Processing Command (MEPCOM) – outlined in MEPCOM Regulation 601-23 and DD Form 4 (Enlistment Document). This briefing, which concludes with the signature of an enlistee, includes the "pre-enlisting briefing," a review of the enlistment contract and the Oath of Enlistment. The MEPCOM Regulations estimate that this briefing, in total, will "generally take less than one hour,"[15] which is likely insufficient time for full disclosure and comprehensive discussion of the duties and risks associated with military service.

While some new enlistees are sent to a basic training center within a month of signing their enlistment contract, most enter the Delayed Entry Program (DEP), which allows for "up to year before the individual reports for duty."[16] The DEP program, which is on average between three and five months, aims to "prepare enlistees for basic training" and to "acclimate recruits to the military."[17] While the military considers enlistment in DEP a "serious commitment," it may not require youth to "enter the military against their will."[18] However, as this report will later illustrate, individuals in the DEP are often intimidated, threatened and misled about the consequences if they have a change of heart and wish to be released from their enlistment contract.[19]

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[11] 10 U.S. Code, sec. 503(c)(6)(D) and 10 U.S. Code, sec. 503(b)(1).
[12] 20 U.S. sec. 7908.
[13] Claire Schaffer-Duffy, *Law Opens Recruiting Access*, National Catholic Reporter (March 28, 2003), *available at* http://ncronline.org/NCR_Online/archives/032803/032803i.htm.
[14] *See also* 10 U.S. Code, sec. 503(c)(1)(B).
[15] MEPCOM Reg. 601-23, Figure D-3: Sample First Visit Schedule, at D-11.
[16] 10 U.S. Code, sec. 513 , as amended 1999 *cited in*
CYPMR, Assessing Fitness, *supra* note 10, at p. 41.
[17] *Id.*
[18] *Id.* In 2002, about 3 to 21% of youths in DEP changed their minds and asked to be released from their enlistment contracts. *Id.*
[19] *See* Section V(4) of this report.

As soon as the minor takes the Oath of Enlistment, he or she is subject to the Uniform Code of Military Justice and any punishment issued by a court martial.[20]

III. THE GOVERNMENT REPORT UNDERPLAYS RECRUITMENT AND PARTICIPATION OF CHILDREN IN THE U.S. ARMED FORCES

The US government report misleads the Committee about the number of 17 year olds who are currently being enlisted and sent into active duty, including in locations of active armed conflict. The US government report states in para 21 that "[a]t no time since 1982 has the percentage of 17-year old recruits into the Armed forces exceeded 8%" and that "no one under age 17 is eligible for recruitment, including for participation in the Delayed Entry Program." However, in 2004 – according to statistics from the Under Secretary of Defense – about 19,885 seventeen year old children joined the US armed forces, constituting 23% of all new reserves and 4.3% of active armed forces recruits.[21] These 14,933 boys and 4,952 girls represent a fraction of the youths targeted annually by military recruiters who have become an increasing presence even in elementary schools across the country where students as young as 11 can participate in the Middle School Cadet Corps.[22]

The US government report, in para. 16, concedes that on average 1,500 soldiers each year are only 17 by the time they complete their basic training and are "ready for operation assignment." Following a lengthy discussion of its understanding of article 1 of CRC OPAC's prohibition on the "direct participation in hostilities" by persons under 18,[23] the US government makes no mention of any efforts to uniformly prohibit by law subjecting persons under 18 to direct combat. In an attempt to comply with the article 1 standard of CRC OPAC, four of the five military services each developed their own implementation policy to prevent minors from taking a direct part in hostilities. In instructing the services on how to craft such a plan, the Assistant Secretary of Defense, cautioned that the plan should "not unduly restrict areas and units to which 17-year-olds are assigned" or "put commanders in the field in the position of having to cull through their troops to determine who is under 18 and then how to limit their duties during times of hostilities."[24] The resultant plans - "tailored to meet the unique mission requirements of each service," imbue commanders with discretion to weigh the mission requirements against the practicability of withholding 17-year-old soldiers from combat.[25] Each branch identifies the success of the mission, rather than the best interest of the child or the CRC OPAC absolute standard of 18 to be the most important factor under all circumstances.

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[20] MEPCOM Reg. 601-23, p. 5-2, para. 5-5(a)-(b) and p. 5-9, para. 5-19.

[21] Office of the Under Secretary of Defense, Personnel and Readiness, *Population Representation in the Military Services, Fiscal Year 2004* (May 2006), Tables B-1 and C-2, *available at* http://www.defenselink.mil/prhome/poprep2004/download/download.html [hereinafter *Population Representation 2004*]. Numbers were derived according to methodology used in the Child Soldiers Global Report 2004, chapter on the United States.

[22] See Section IV(2) of this report.

[23] US Government Initial Report Concerning the Optional Protocol on the Involvement of Children in Armed Conflict, UN Doc. No. CRC/C/OPAC/USA/1 (submitted May 10, 2007), paras. 7-15 [hereinafter US Government Report on CRC OPAC].

[24] *Id.* at Annex III: US Military Service Plans, Memorandum from Charles S. Abell, Asst. Sect. of Defense to Asst. Sects. For Manpower and Reserve Affairs of the Army, Navy and Air Force, (Aug. 21, 2002).

[25] *Id.* at para. 17 and Annex III: US Military Service Plans.

IV. US MILITARY RECRUITERS TARGET CHILDREN YOUNGER THAN 16 YEARS OF AGE AND PREY ON LOW INCOME, IMMIGRANT AND MINORITY COMMUNITIES

This section highlights the U.S. government report's shortcomings in portraying the scope and impact of its recruitment strategies directed toward inducing under 18 children to join the U.S. Armed Forces.

1. The government report employs an impermissibly narrow understanding of the term "recruitment" and fails to capture the scope of recruitment campaigns targeting youths

The U.S. Government report fails to define what constitutes "recruitment," and to properly inform the Committee about its recruitment tactics and policies. In fact, the U.S. government report suggests that recruitment is limited to the act of signing the enlistment contracts,[26] as if no concerted and targeted actions had to take place to result in this act. The *CRC Guidelines on State Reports on the CRC OPAC* request that the reporting state provide "detailed description of the procedure used for … recruitment, *from the expression of intention to volunteer* through to the physical integration into the armed forces." (emphasis added).[27] The U.S. Government Accountability Office in a 2006 report on recruiter misconduct highlights that the "recruiting process [is] from a recruiter's initial contact with a prospective applicant to the applicant's successful graduation from…basic training." Therefore, while the U.S. government report fails to address recruitment contacts with teens and pre-teens, its own policies and practices confirm that recruitment begins when a recruiter makes contact with young persons in an effort to persuade them to join the military.

While the U.S Government report in para. 21 claims that "[n]o one under age 17 is eligible for recruitment," in reality, recruitment efforts target children even younger than the absolute minimum age of 16 required by article 3(1) of CRC OPAC, and the preferable international standard of 18 for recruitment advocated by the CRC[28] and other international

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[26] *Id.* at para. 21: "…many enlistment contracts are signed with high school seniors who may be as young as 17."

[27] Guidelines regarding initial reports to be submitted by states parties under article 8 (1) of the optional protocol to the convention on the rights of the child on the involvement of children in armed conflict, UN Doc. CRC/OP/AC/1 (Nov. 14, 2001), at para. 9(a) [hereinafter CRC Guidelines on State Reports under CRC OPAC], *available at* http://www.ohchr.org/english/bodies/crc/comments.htm (under "reporting to the Committee," click "OPAC").

[28] The CRC "[r]ecalls its major recommendation on the fundamental importance of raising the age of all forms of recruitment of children into the armed forces to eighteen years and the prohibition of their involvement in hostilities." CRC Recommendations on Children in Armed Conflict (1998), para. 5, *available at* http://www.ohchr.org/english/bodies/crc/decisions.htm. The CRC Committee, in reviewing country reports under the CRC OPAC, has recommended they repeal all laws that allow for the recruitment for persons under the age of 18. *See e.g.*, CRC Concluding Observations/ Comments to Belgium, 42nd Sess. UN Doc. No. CRC/C/OPAC/BEL/CO/1 (June 9, 2006), para. 11; CRC Concluding Observations/ Comments to Italy, 42nd Sess. UN Doc. No. CRC/C/OPAC/ITA/CO/1 (June 23, 2006), para. 14. The CRC Committee positively reinforced those countries that set 18 as their minimum age for recruitment into the armed forces. *See e.g.*, CRC Concluding Observations/ Comments to Switzerland, 41st Sess. UN Doc. No. CRC/C/OPAC/CHE/CO/1 (March 17, 2006), para. 3; CRC Concluding Observations/ Comments to Kazakhstan, 43rd Sess. UN Doc. No. CRC/C/OPAC/KAZ/CO/1 (Oct. 17, 2006), para. 4 (minimum age for voluntary recruitment into the Kazakh armed forces is 19 years); CRC Concluding Observations/ Comments to Vietnam, 43rd Sess. UN Doc. No. CRC/C/OPAC/VNM/CO/1 (Oct. 17, 2006), para. 4; CRC Concluding Observations/ Comments to Kyrgyzstan, 44th Sess. UN Doc. No. CRC/C/OPAC/KGZ/CO/1 (May 2, 2007), para. 5; CRC Concluding Observations/ Comments to Sweden, 44th Sess. UN Doc. No. CRC/C/OPAC/SWE/CO/1 (June 6, 2007), para. 4.

treaties.[29] U.S. Federal law establishes access by military recruiters to secondary schools nationwide,[30] where recruiters target students from 14 and 15 years of age. The Department of Defense, in its *Recruiter Access to High Schools in Brief* summary, stresses that "Federal law encourages recruiter access to high school students …for the purposes of recruiting."[31] The U.S. Army School Recruiting Program, for example, instructs recruiters in the best tactics to "effectively penetrate the school recruitment market" with the goal of "school ownership that can only lead to a greater number of Army enlistments."[32] The U.S. Army *School Recruiting Program Handbook* specifies that "School recruitment is critical to both short-term and long-term recruiting success."[33] In order to achieve this, military recruiters target young people as soon as they begin thinking about the future.[34] Recruiters are warned that if they wait until the child is a high school senior (typically at 17 years old), they may not be able to land him or her as a recruit. The U.S. Army *School Recruiting Program Handbook* instructs recruiters that "first to contact, first to contract…that doesn't just mean seniors or grads…if you wait until they're seniors, it's probably too late."[35]

Under federal law, the Secretary of Defense, who oversees the armed forces, is authorized "to enhance the effectiveness of recruitment programs…through an aggressive program of advertising and market research" targeted not only at underage recruits but also at those who may influence their decision making, including their peers and parents.[36] In line with the intent to more aggressively target youths, military advertising spending and bonuses have increased "at least threefold since 1990," with the biggest jump in advertising for the U.S. Army, from about $30 million in 1994 to $155 million in 2003.[37] Overall, the Department of Defense

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[29] *See e.g.,* The African Charter on the Rights and Welfare of the Child sets 18 as the minimum age in particular for recruitment. The African Charter on the Rights and Welfare of the Child, OAU Doc. CAB/LEG/24.9/49 (1990), *entered into force* Nov. 29, 1999, art. 22(2). Moreover, national governments worldwide have set the minimum age for recruitment at 18 years or older. *See e.g.*, G. GOODWIN-GILL, CHILD SOLDIERS: THE ROLE OF CHILDREN IN ARMED CONFLICT (1984), pp. 186-208.

[30] According to the U.S. Department of Defense (DoD), "Section 503c of title 10 U.S.C. ("Access to Secondary Schools"), commonly referred to as the "Hutchinson Amendment," articulates the provisions of the law governing recruiter access to high school students and access to student directory information for military recruiting purposes.… Section 9528 ("Armed Forces Recruiter Access to Students and Student Recruiting Information") of the Elementary and Secondary Education Act of 1965 (20 U.S.C. § 7908), as amended by the No Child Left Behind Act (NCLB) of 2001 (P.L. 107-110), stipulates the same requirements as the Hutchinson Amendment regarding recruiter access to high school students and access to directory information for military recruiting purposes." Department of Defense, Under Secretary of Defense for Personnel and Readiness**,** *Military Recruiting, available at* http://www.defenselink.mil/prhome/mpprecruiting.html (last visited Oct,. 31, 2007).

[31] Department of Defense (DoD), Under Secretary of Defense for Personnel and Readiness, *Recruiter Access to High Schools in Brief*, at pt. 1, *available at* http://www.defenselink.mil/prhome/docs/recruit_access_hs.pdf (last visited Oct. 31, 2007).

[32] *See,* U.S. Army Recruiting Command, School Recruiting Program Handbook, USAERC Pamphlet 350-13, at para. 1-4(c), 2-2(d), *available at* http://www.usarec.army.mil/im/formpub/REC_PUBS/p350_13.pdf [hereinafter School Recruiting Program Handbook].

[33] *Id.* at para. 2-2(n).

[34] *Id.*.

[35] *Id.*

[36] 10 U.S. Code, sec. 503(a).

[37] National Research Council, Committee on Youth Population and Military Recruitment, Evaluating Military Advertising and Recruiting: Theory and Methodology (2004), at pp. 73-74, *available at* http://books.nap.edu/catalog.php?record_id=10867 [hereinafter CYPMR, Advertising].

spent close to $400 million in 2003[38] and $663 million (or nearly half its $1.5 billion recruiting efforts budget) in 2006 on advertising for recruitment.[39]

Military advertising and marketing campaigns are geared to both appeal to and alter the attitudes and aspirations of children toward military service. Complying with a request from the Department of Defense (DOD), the National Research Council in 1999 established the Committee on the Youth Population and Military Recruitment (Committee on Youth), an academic think tank designed to use sophisticated demographic analysis to enable DOD to meet recruitment goals among youth. The Committee on Youth authored a report on the *Attitudes, Aptitudes, and Aspirations of American Youth: Implications for Military Recruitment*, in which based in part on Youth Attitude Tracking Studies with youths as young as 15 years old, it recommended targeting youths, their friends and family members, especially mothers (as "critical influence on their sons' and daughters' career aspirations and achievements") in order to instill in youth a sense that the military will help them in "finding purpose and meaning in … life, [which] tops the list of important life goals" for youths.[40]

There are no legal limits to the scope of "aggressive" recruitment campaigns and techniques. The lack of a bright-line rule in U.S. regulation allows recruiters to inflict undue pressure on young people, leading to coerced rather than "genuinely voluntary" decisions to join the armed forces. U.S. Army recruiters, for example, are instructed to target "influential students, such as the school president or the captain of the football team" not to enlist, but to facilitate peer pressure by such popular students who could get enlistments from other, less successful students, for whom "it is clear that college is not an option."[41] The U.S. government report thus not only fails to accurately capture the process of "recruitment" of children into the armed forces, but also disguises the scope of recruitment campaigns targeting youths.

2. Recruiters target children as young as 11 through in- school and extra-curricular military style activities

As a strategy to funnel a steady stream of young recruits into military enlistment, the U.S. armed forces fund and implement multiple military model programs, classes, and extra-curricular activities targeting teens and preteens in schools across the country.[42]

High-School students, as young as 14, may enroll in the over 3,000 schools offering Junior Reserve Officer Training Corps (JROTC). The Middle School Cadet Corps (MSCC) is designed to attract middle-school students as young as 11. In Chicago, for example, military instructors in 26 Chicago public schools reach about 900 students in an after school program that

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[38] BERNARD ROSTKER, I WANT YOU! THE EVOLUTION OF THE ALL VOLUNTEER FORCE, at 753 (RAND Corporation, 2006).

[39] GAO 2006 Report, *supra* note 5, at p. 6.
In 2006, the Department of Defense allocated $1.5 billion to its recruiting efforts which included: $800.7 million for recruiting programs, $633 million for advertising, and $551.6 million for financial incentives, such as enlistment bonuses. *Id.* at p. 6.

[40] National Research Council, Committee on the Youth Population and Military Recruitment, *Attitude, Aptitudes, and Aspirations of American Youth: Implications for Military Recruitment* (2003), at pp. 266- *available at* http://www.nap.edu/openbook.php?record_id=10478&page=266 [hereinafter CYPMR, Attitude].

[41] School Recruiting Program Handbook, *supra* note 32, at para. 2-4: Student Influencers and para. 2-6(a)(3).

[42] *See* 10 U.S. Code Sec. 2031, CHAPTER 102 - JUNIOR RESERVE OFFICERS'TRAINING CORPS. In 2001, congress removed the statutory limit of 3,500 as the maximum number of JROTC units in schools. Amendment to sub-section (a)(1) via Pub. L. 107-107.

teaches about uniform inspection and drills (including ones using wooden guns).[43] In some cases, children as young as 10 years old have reportedly been allowed to participate in the MSCC program "because they have older siblings in the program and would otherwise have to walk home alone."[44] In Massachusetts, the Blackstone Valley Young Marines, lead by former, retired, active duty, or reserve Marines, accept children as young as 8 years old into their program.[45] According to DOD instructions, schools that host JROTC programs must require at least "100 students or 10 percent of the student body" to enroll in the programs.[46] While the programs profess to instill "values of citizenship, service to the United States," parents and teachers, concerned about the inappropriate messages taught to very young students, prefer to replace such military-oriented, pro-gun after school programs with alternative leadership and skills programs.[47]

Military instructors of the JROTC and the MSCC train students how to be soldiers. Cadets in both programs participate in military drills where they are taught how to handle both real and wooden firearms. JROTC students enrolled in the Armed Drill Team are taught to operate M-1 Garand Drill Rifles to perfect drill movements.[48] Cadets on the Rifle Team are referred to as "shooters" and learn how to fire rifles.[49] Both drill and rifle teams compete with neighboring JROTC teams. The armed forces encourage participation in such drill and rifle teams by offering various scholarships and monetary incentives to successful participants.[50] Such military programs run afoul of CRC OPAC, as the Committee has cautioned states reviewed that youth activities involving military-type activities and use of firearms training "for children are not in full conformity with the spirit of the Optional Protocol which emphasizes that conditions of peace and security are indispensable for the full protection of children."[51] Both the

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[43] Middle schoolers become cadets in CPS program, *supra* note 4.
[44] *Id.*.
[45] Blackstone Valley Young Marines website, *What Is the Young Marines Program? available at* http://www.blackstonevalleyyoungmarines.org/info.shtml.
[46] Department of Defense Instruction, Reserve Officers' Training Corps (JROTC) Program (Feb. 6, 2006), No. 1205.13, at para. E2.1.1.3, *available at* http://www.dtic.mil/whs/directives/corres/pdf/120513p.pdf [hereinafter JROTC Program].
[47] For the purpose of the JROTC program, s*ee* 10 U.S. Code Sec. 2031(a)(2), *available at* http://uscode.house.gov/download/pls/10C102.txt. Parents, teachers, and activists have been involved in community efforts to remove JROTC programs from their schools. *See e.g., Junior ROTC takes a hit in L.A.; At Roosevelt High, a coalition of teachers and students works to end the program,* The *Los Angeles Times,* (Feb. 19, 2007); Community Opposition Sends Marine JROTC Unit Into Retreat (July 2000), http://www.notinourname.net/resources_links/community-stops-jrotc-jul00.htm; Felicia Lee, *King School Stages Battle Over Advent Of R.O.T.C.*, The New York Times (Oct. 20, 1989), at http://query.nytimes.com/gst/fullpage.html?res=950DE3DB1030F933A15753C1A96F948260. The many groups working to de-militarize school campuses include, the American Friends Service Committee, Coalition Against Militarism in our Schools , MilitaryFreeZone.org, Peace Action, Student Peace Action, Veterans for Peace, and Leave My Child Alone!
[48]*See e.g.*, Sussex Technical School District (Delaware), JROTC web page, Extracurricular activities: Armed Drill Team (picture of cadets in full uniform performing with the rifles), *available at* http://sussex.de.schoolwebpages.com/education/components/scrapbook/default.php?sectiondetailid=489&pagecat=596&PHPSESSID=6cf8553c404c7f478e9c951c368d7399 (last visited Nov. 7, 2007).
[49] Parkview High School, U.S. Marine Corps, MC JROTC website, *Rifle Teams, available at* http://parkviewmcjrotc.com/rifleteam.html.
[50]*Sommer Wood,* 2006-2007 CMP Scholarship for JROTC and ROTC Rifle Shooters, The First Shot (Jan. 2006), *available at* http://www.odcmp.org/0106/default.asp?page=SCHOLARSHIPS.
[51] CRC Concluding Observations/ Comments to Sweden, 45th Sess., UN Doc. No. CRC/C/OPAC/SWE/CO/1 (June 6, 2007), paras. 14-15.

JROTC and the MSCC serve as recruitment channels into the armed forces.[52] The Department of Defense encourages relationships between JROTC instructors and military recruiters.[53] Students who successfully complete the JROTC Programs are offered the incentive of a promotion on initial enlistment into the armed forces.[54] As a result, 30-50% of graduating JROTC cadets formally enlist in the military.[55] However, despite such promises, of the 50% of Army JROTC students who enlist, 70% place into the lowest rank.[56]

3. U.S. Military Services recruiters target minorities and socio-economically disadvantaged groups, such as immigrants, who lack alternative educational and employment options

The decision to join the military due to the actual or perceived lack of educational, employment, and professional alternatives can not be considered a genuinely voluntary one. In its report, the U.S. government fails to provide the requested disaggregate data by gender, region, rural/urban areas and social and ethnic origin of recruits under 18 years of age.[57] This omission masks recruitment strategies that specifically target low-income schools and neighborhoods, which often translates into targeting impoverished communities of color. For example, overall, blacks are overrepresented in the services (22% of soldiers compared with 12% of the population), and substantially overrepresented among all active duty military personnel ages 18-24 (e.g., African American males constitute nearly 25% of army and navy servicemen compared to 14% of the 18-24 civilian population).[58] African American women constituted 26 percent of all female applicants to the military in 2002.[59]

Young men and women have reported that funding for college and job training are the dominant reasons for enlisting in the armed forces.[60] Capitalizing on the perceived lack of options faced by poor youths, recruiters target schools in low income neighborhoods where college may not be seen as an attainable option, while investing far less effort in recruiting youths in affluent areas where students are most likely to enroll in universities. According to a Boston Globe inquiry in 2004, once the recruiters identify an economically depressed neighborhood, they will approach the teenagers in areas where they "hang out, following them to sporting events, shopping malls, and convenience stores." In a Maryland working class neighborhood high school, "recruiters chaperon dances, students in a junior ROTC class learn drills from a retired sergeant major in uniform, and every prospect gets called at least six times

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[52] American Friends Service Committee (AFSC), Youth and Militarism Program, *at* http://www.afsf.org/youthmil/jrotc/Default.htm
[53] *Id.*
[54] JROTC Program, *supra* note 47, at para. 5.2.5.1.
[55] AFSC, Youth and Militarism, *supra* note 53.
[56] The Central Committee for Conscientious Objectors, JROTC is a Recruiting Program for Dead-End Military Jobs, *available at* http://www.objector.org/jrotc/jrotcrecruits.html (last visited Nov. 10, 2007).
[57] The CRC Guidelines request under art. 3, para. 1 that states provide "When relevant, disaggregated data (for example, by gender, age, region, rural/urban areas and social and ethnic origin, and military ranks) on children below the age of 18 years voluntarily recruited into the national armed forces." CRC Guidelines on State Reports under CRC OPAC, *supra* note 27, at para. 7(b).
[58] CYPMR, Assessing Fitness, *supra* note 10, at pp. 17, 22-23.
[59] *Id.* at pp. 17-18, 22.
[60] School Recruiting Program Handbook, *supra* note 32, at para. 7-1 (money for education was one of the dominant reasons for enlisting in the army).

by the Army alone."[61] In a wealthy neighborhood 37 miles [about 60 km] away in Virginia, the school's guidance counseling office sports "[p]osters [that] promote life amid ivy-covered walls, not in the cockpits of fighter jets."[62]

The intersection of poverty and race provides fertile opportunities for aggressive recruitment. About 54% of JROTC participants nationwide are students of color.[63] Chicago's public school system, which sports the largest JROTC program in the country in number of cadets and total programs,[64] is made up of 49.8% African American and 38% Latino students,[65] and 85% of the student body comes from low-income families.[66] In contrast, only five schools in all of the more affluent Chicago suburbs have JROTC programs.[67] Recruitment is heavy in the Massachusetts cities of Lowell and Lawrence because of their minority populations.[68] In predominantly African American Roxbury in Massachusetts, a school counselor explained that "the school couldn't make financial ends meet without the money from ROTC."[69] The military has specifically targeted Latino youth through its Spanish-language advertisements and campaigns. Community activist Marela Zaccarias, of the Connecticut-based Latinos Contra la Guerra (Latinos Against the War), related that recruiters have been targeting low income Latino youths "because the Latino community is growing and it's a very poor and working class community." [70]

The Army also targets low income youths through its GED Plus Program.[71] The GED Plus Program allows young people who have not obtained a high school diploma to be sponsored by the Army to obtain a GED (a General Education Development certificate of high school equivalency) for enlistment purposes.[72] According to the Army, the program is available only in inner-city areas where most disadvantaged youths live.[73]

Activists have expressed increasing concerns about military recruiters targeting immigrant communities, in particular those coming from Latin America, which the military has identified as the fastest growing group of military-age persons. Military recruiters in Dallas, Texas, for example, stepped up efforts to recruit in neighborhoods with high school dropout rates for Latinos whose family members may lack legal residency status. The mother of a high school student and recent recruit echoed the hopes expressed by many immigrant families with children considering the military, that maybe her son's government service "might help relatives who lack

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[61] Charlie Savage, *Military Recruiters Target Schools Strategically*, The Boston Globe (Nov. 29, 2004) *available at* www.boston.com/news/nation/articles/2004/11/29/military_recruiters_pursue_target_schools_carefully/.
[62] *Id.*
[63] The National Network Opposing Militarization of Youth in Schools, JROTC, *available at* http://www.nnomy.org/joomla/index.php?option=com_content&task=view&id=22&Itemid=47.
[64] Chicago Public Schools Official JROTC website, *at* http://www.chicagojrotc.com/
[65] *See* Jennifer Wedekind, *Military programs move into middle schools to fish for future soldiers*, The Children's Crusade (June 3, 2005), *available at* http://www.inthesetimes.com/article/2136/.
[66] *Id.*
[67] *Id.*
[68] Summary of Counter Recruitment Training with Bill Sweet, American Friends Service Committee (Oct. 29, 2007), summarized by Virginia Pratt, WILPF, Boston Branch member (on file with author).
[69] Interview by Joan Ecklein, WILPF, Boston Branch member, Oct. 22, 2007 in Boston, MA (on file with author).
[70] *Latino Youth Targeted as U.S. Military Falls Short of Recruitment Goal*, Interview with Marela Zaccarias, of Latinos Contra la Guerra (Latinos Against the War) (June 21, 2005) *in* Scoop Independent News' Between the Lines, *available at* http://juantornoe.blogs.com/hispanictrending/2005/06/latino_youth_ta.html
[71] Summary of Counter Recruitment Training, *supra* note 69.
[72] Army GED Plus Enlistment Program, *at* http://usmilitary.about.com/library/milinfo/blgedplus.htm
[73] *Id.*

residency." While only the soldiers themselves get preference for citizenship, recruits often ask whether "joining the military could keep relatives from getting deported."[74]

The military appeals to immigrant communities with the Soldier Citizenship Application Program which aims to "streamline and expedite the handling of [U.S. Citizenship] applications" for immigrants who enlist in the armed forces.[75] Congress recently introduced for a vote, the Development, Relief, and Education for Alien Minors (DREAM) Act, which would allow "illegal immigrants" who arrived in the U.S. as children to achieve legal status if they attend college or enlist in the military.[76] The proposed bill garnered instant support from the Defense Department, arguing that it would help the military meet its recruiting goals.[77]

To more accurately identify those potential recruits most likely to lack viable educational and professional options other than the military's monetary incentives, military recruiters employ a private marketing firm to gather and disseminate to the Pentagon a wider range of student personal data, such as birth dates, social security numbers, ethnicity, and grade-point averages.[78]

By providing financial incentives, such as salary reimbursement for instructors, the military pursues schools in low income areas to open their gates to JROTC and similar pre-military programs. The armed forces reimburse schools for the salaries of these program instructors.[79] Recruiters can provide additional funds to schools located in neighborhoods – which the military determines – have "substandard quality of life, many families with income below the poverty level and a high incidence of violent crime."[80] Schools in these areas are in financial need and are thus strongly motivated to set up and maintain JROTC and MSCC programs. These programs prioritize gun drills and uniforms[81] and require their host schools to provide secure storage for "military weapons and ammunition," including "arms rooms" with "separate secure storage of bolts of operable weapons."[82]

4. Pervasive military training programs in civilian schools undermine community control over school curriculum, academic quality and pro-peace values

Public funds spent for military programs in schools are "diverted from educational programs run by trained, certified, and accountable teachers and other social programs run by

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[74] Megan Feldman, *Yo Soy el Army; Uncle Sam wants you--especially if you're Latino,* Dallas Observer (Texas) *(*Feb. 8, 2007), at News, featured story.
[75] Soldier Citizenship Application Program, *at* http://www.military.com/MilitaryReport/0,12914,84102,00.html
[76] Office of Senator Dick Durbin, Press Release, Durbin, Hagel, Lugar: Congress Should Act Now To Help Students Gain Access To Higher Education (Nov. 21, 2005), *at* http://durbin.senate.gov/record.cfm?id=249474
[77] Jessica Holzer, *Durbin bill triggering lobby blitz,* The Hill (Sept. 25, 2007), at pg. 1.
[78] Office of Senator Hilary Rodham Clinton, Press Release, Senator Clinton Calls on Pentagon to Stop Data Collection Efforts That Infringe on High School Students' Privacy (June 24, 2005) *available at* http://clinton.senate.gov/news/statements/details.cfm?id=239912&&.
[79] JROTC Program, *supra* note 47, at para. 5.2.6.
[80] *Id.* at para. 5.2.6.1.
[81] *Id.* at para. 5.2.6.
[82] JROTC programs require their host schools to provide secure storage for "U.S.-furnished military weapons and ammunition in their inventory," including "arms rooms" with "separate secure storage of bolts of operable weapons." *Id.* at E2.1.8.3.

youth-focused personnel."[83] In the absence of other viable funding sources, poorly-funded schools nationwide must rely on government-funded military programs to fill out the curriculum while no similar additional funding is available for course offerings promoting peace values and peaceful resolution of conflicts, such as those this Committee has urged states to implement. For example, the Committee has commended state parties' "efforts to promote - both nationally and internationally - a culture of peace, *inter alia* through primary and secondary education courses, and the prohibition of 'war toys.'"[84]

The JROTC and MSCC curriculum falls below accepted educational standards and professional measures, when compared to the standard curriculum of the public schools where it is offered.[85] In reviewing the curriculum of JROTC programs, Professor Catherine Lutz at the University of North Carolina at Chapel Hill, concludes that "JROTC promotes authoritarian values instead of democratic ones; and that it uses rote learning methods and drill in lieu of critical thinking and problem solving skills…. JROTC consigns most of student time in the program to learning skills, such as military history, drill, and protocol that have little relevance except in the military."[86] In addition, JROTC instructors, who are usually retired military personnel, often lack teaching credentials that are required for other high school teachers.[87] They spend little if any time on civil and human rights and cover no peace education.[88]

On the other hand, JROTC and MSCC students are taught how to handle, shoot and clean both actual and wooden firearms. They also participate in extra-curricular activities where they use these weapons in "play" combat. Students in these programs, receiving such a modified education, are less likely to be as successful as their peers and more likely, on the other hand, to go on to join the military. Some studies suggest that "not only do JROTC graduates enter military programs at substantially higher rates than non-JROTC graduates (nearly half of them go directly into military programs), they are also largely funneled into the enlisted ranks as opposed to officer training programs (such as college ROTC, service academies, etc.)"[89]

V. ARTICLE 3(3): RECRUITMENT PRACTICES CONSISTENTLY VIOLATE REQUIRED SAFEGUARDS FOR VOLUNTARY RECRUITMENT OF CHILDREN

Article 3 of CRC OPAC requires that those state parties who permit voluntary recruitment into their Armed Forces must establish safeguards that will ensure, at a *minimum*, that the recruitment is:

(a) genuinely voluntary;
(b) carried out with the informed consent of the person's parents or legal guardians;
(c) fully informative of the duties involved in such military service; and

[83] Catherine Lutz, Making soldiers in the public schools: An analysis of the Army JROTC curriculum (American Friends Service Committee publication, 1995), at *p. 3, available at* http://www.afsc.org/youthmil/militarism-in-schools/msitps.pdf [hereinafter Analysis of Army JROTC].
[84] CRC Concluding Observations/ Comments to Costa Rica, 44th Sess. UN Doc. No. CRC/C/OPAC/CRI/CO/1 (Jan. 5, 2007), at "Prevention/ Culture of Peace."
[85] Analysis of Army JROTC, *supra* note 84, at pp. 15-17.
[86] *Id.* at 3.
[87] JROTC Program, *supra* note 47, at para. E1.1.7; *See also,* AFSC, Youth & Militarism.
[88] Analysis of Army JROTC, *supra* note 84, at p. 18.
[89] *Id.* at p. 5.

(d) based on reliable proof of age.[90]

With the exception of reliable of proof age, the U.S. Armed Forces have failed to establish firm, uniform safeguards to ensure youths and their parents or guardians provide genuinely voluntary and informed consent to the recruitment of persons under 18. Contrary to the requirement in article 3(2) of the CRC OPAC for a description of the safeguards adopted by the state "to ensure that such recruitment is not forced or coerced,"[91] the U.S report neglects to adequately describe safeguards established to ensure voluntary recruitment or the effectiveness of existing protections to ensure truly voluntary recruitment of persons under 18.[92]

1. Overly aggressive and coercive recruitment tactics, including sexual assault of young women, vitiate voluntariness of enlistment

Not only do existing safeguards fall short of the CRC OPAC article 3 requirements, they are inconsistently applied and violations of the safeguards go largely unpunished. A 2006 report by the U.S. Government Accountability Office (GAO) on Military Recruiting painted a bleak picture of recruiters resorting to "overly aggressive tactics, such as coercion and harassment," and even criminal activity to attract young persons to the military. While cautioning that numbers are likely too low because the services fail to track recruiter misconduct[93] and many incidents go unreported, the GAO report cited a jump of more than half in the number of substantiated cases of improper recruitment tactics, defined to include "willful and unwillful acts of omission and improprieties," ranging from false promises to criminal violations, such as sexual harassment.[94] Between 2004 and 2005, allegations of recruiter wrongdoing increased from almost 4,400 to 6,600 cases; substantiated cases from 400 to 630, and criminal cases – such as sexual harassment and falsifying documents - more than doubled from 30 to 70 cases.[95] Misconduct includes making unrealistic promises to recruits, fraternizing with them during off-hours,[96] offering them cash or nonexistent incentives to enlist.

Activists and the Pentagon singled out persistent sexual abuse by recruiters of young women who desire to join the armed services as an avenue toward economic empowerment and employment opportunities. An investigation by the Associated Press found that "in 2005, at least 80 male recruiters were disciplined for abusing female potential recruits. More than 100 young women who had expressed interest in joining the military reported that their recruiters had

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[90] CRC OPAC Article (3)(3).
[91] CRC OPAC Article 3(2).
[92] U.S. Government Report on CRC OPAC, *supra* note 23, at paras. 21-25.
[93] The report reprimanded the Department of Defense for neglecting to establish "as oversight framework that include guidance" for the services to track uniformly-crafted criteria for recruiter "irregularities." GAO 2006 Report, *supra* note 5, at 3, 11, 35. It also notes underreporting of recruiter abuse incidents. *Id.* at 3, 11-12. *See e.g.*, according to a NY ACLU study that surveyed 1,000 students from 45 New York high schools, "nearly half of respondents (45 percent) at selected schools reported that they did not know to whom they should report military recruiter misconduct." New York Civil Liberties Union and Manhattan Borough President Study, We Want You(th)! *cited in* Press Release by Manhattan Borough President, *Report Finds Military Recruitment At Select New York City Public Schools Violates Students' Rights*, US States News (Sept. 6, 2007).
[94] GAO 2006 Report, *supra* note 5, at pp. 3-4.
[95] *Id.* at 4.
[96] According to a school counselor in Roxbury, Massachusett recruiters have been seen driving high schools students after hours. Interview by Joan Ecklein, WILPF, Boston Branch member, Oct. 22, 2007 in Boston, MA (on file with author). Recruiters are ubiquitous at different times of the day in the downtown area of Lowell, MA, an immigrant and low income town, inducing at malls. Interview with Virginia Pratt, WILPF – Boston, *supra* note 7.

victimized them. The abuse included rape on couches in recruiting offices, assaults in government cars, and groping en route to military entrance exams."[97]

2. In the absence of other viable options for youths, exaggerated or false promises of financial incentives undermine voluntariness

While, in practice, the recruitment efforts of the U.S. military increasingly rely on offering ever greater economic incentives, the U.S. government report neglects to outline – despite the instructions of the *CRC Guidelines* - the "incentives used by the national armed forces for encouraging volunteers (scholarships, advertising, meetings at schools, games, etc.)."[98] According to Rand Corporation, a think tank funded in part by the Department of Defense, "a mix of economic benefits and educational programs helps channel youths into hard to fill occupations, hazardous duty assignments, and undesirable locations."[99] Yet only a small proportion of young recruited soldiers actually obtain these benefits.

With flagging recruitment levels in the past couple of years - primarily due to increased public opposition to the war in Iraq and a solid economy at home – recruiters raised cash bonuses to attract new recruits. The Army, for example, more than tripled cash bonuses, from $6,000 in May to a maximum $20,000 in August of 2007, for signing a two-year enlistment contract.[100] In addition, the Army launched a new "quick-ship" cash bonus of $20,000 for recruits willing to be quickly deployed.[101] Given the infusion of new cash incentives, the steep Army recruitment downturn in May and June rebounded by July 2007 to meet its active duty recruitment goal.[102]

Recruiters promise various benefits that can be received once a young person enlists into the military, such as cash bonuses, good salaries and benefits, job training, and money for college. Young persons indeed rank incentives, such as cash bonuses and funding for college, as the dominant reasons for enlisting in the armed forces.[103] A recent 17-year old recruit, was asked by a local Washington, DC paper why he enlisted in the midst of a war, replied "mostly the incentives, the college money and the extra money."[104] According to Aaron Pratt and Darren Elmore, two high-school students from a working class town in Massachusetts, a recruiter "…told us we would get a new car, good money, a college education, and good vacation benefits."[105]

Whereas military posters and brochures aim to tantalize and appeal to young persons with promises and incentives, in reality very few soldiers benefit from the purposefully exaggerated and often false promises. Yet while army brochures emphasize that a full time soldier can get "up to $70,000 for college after you serve, Up to $20,000 enlistment bonus, The chance to

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[97] Bryan Bender, *Pentagon acts to crack down on recruiter misconduct*, The Boston Globe (March 19, 2007), *available at* http://www.boston.com/news/nation/washington/articles/2007/03/19/pentagon_acts_to_crack_down_on_recruiter_misconduct?mode=PF.

[98] CRC Guidelines on State Reports under CRC OPAC, *supra* note 27, at para. 9(f).

[99] ROSTKER, *supra* note 38, at 753.

[100] Josh White, *Army Recruiting Rebounds in July to Exceed Goals*, The Washington Post (Aug. 11, 2007), at A3.

[101] *Id.*

[102] *Id.*

[103] School Recruiting Program Handbook, *supra* note 32, at para. 7-1.

[104] Darrow Montgomery & Jason Cherkis, *Falling In, Why Ship out in the middle of this war?* The Washington City Paper (Oct. 24, 2007) (see audio slide show for Jeshaun Williams, Age 17).

[105] Interview with Virginia Pratt, WILPF – Boston, *supra* note 7.

qualify for over 150 careers," such bonuses are selectively handed out. In reality, few soldiers actually qualify to receive the promised benefits. Only 23% of veterans hold college degrees[106] (which, for example, is lower than 27% for male non-veterans)[107] and two-thirds of recruits never receive any college funding from the military.[108] Fewer than 10 percent of all recruits received money from the Army College Fund.[109] A 17-year old recruit from Hawaii interviewed by the NY Times in August 2005 weeks shy of entering Army boot camp received no bonus and related that "One guy I know got $9,000, and someone who signed up after him got $6,000" for the same job.[110] An analysis of Army enlistment packages from 2005 revealed that only 6% of Army enlistees actually received the top $20,000 bonus and in 31 out of 33 job categories recruits were more likely to receive nothing.[111]

As for the promised job training that would boost future earning, according to a meta-analysis of 14 studies, veterans who served starting in the 1970s earn between 11% and 19% less than non-veterans of similar socioeconomic background.[112] Nearly 400,000 veterans experience homelessness annually, and according to a 1999 survey by the U.S. Interagency Council on Homelessness, veterans account for 23% of all homeless people in the United States.[113]

Recruiters also offer hip, expensive gifts to lend a desirable "cool" to the military and to lure young persons to enlist.[114] Gifts range from t-shirts, personalized dog tags and military gym bags to more extravagant items, such as iPods (electronic device used to play music and movies valued at $250) once the young person meets and talks with a local recruiter. [115] The Army, for example, specifically targets young boys 14-years-of-age or older[116] with a web-based video game (also available as a cellphone game), "America's Army,"[117] which was developed in reaction to sagging numbers of recruits and intends to spark the interest of potential recruits by getting them to associate the army with excitement and entertainment.[118] The game teaches

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[106] U.S. Department of Veterans Affairs, 2001 National Survey of Veterans, at Table 304, *available at* http://www1.va.gov/vetdata/docs/NSV%20Final%20Report.pdf.

[107] U.S. Department of Veterans Affairs. R.E. Klein & D.D. Stockford, Data on Socio-economic Status of Veterans (May 2001), *available at* http://www1.va.gov/vetdata/docs/sesprogramnet5-31-01.ppt.

[108] Campus Antiwar Network, College Not Combat: Get the Military Out of Our Schools, *available at* http://campusantiwar.net/components/com_docman/dl2.php?archive=0&file=Q29sbGVnZU5vdENvbWJhdF9wYW1waGxldF9DQU4ucGRm (last visited Nov. 10, 2007); American Friends Service Committee , *Truth and Myth About Joining the Military*, at page 99, *available at* http://www.afsc.org/youthmil/resources/whats-next/whats-next-s7.pdf (last visited Nov. 10, 2007).

[109] Damien Cave, *Critics Say It's Time to Overhaul Army's Bonus System*, The New York Times (Aug. 15, 2005), *available at* http://www.nytimes.com/2005/08/15/national/15recruit.html?pagewanted=print.

[110] *Id.*

[111] *Id.*.

[112] Barley, S. R., *Military Downsizing and the Career Prospects of Youth*, in 559 ANNALS OF THE AMERICAN ACADEMY OF SOCIAL AND POLITICAL SCIENCES 141 (1998), at pp. 143-144 (the pattern of the studies examined suggests that "civilian returns to military service since Vietnam have been, at best, negligible, and possibly negative)."

[113] The National Coalition for Homeless Veterans, How many homeless veterans are there? *available at* http://www.nchv.org/background.cfm (last visited Nov. 10, 2007).

[114] Dr. Teresa Whitehurst, Parents: The Anti-Recruiter: How the military persuades kids to enlist, and what you can do about it, *at* http://www.antiwar.com/whitehurst/?articleid=5885

[115] U.S. Army official website, *at* http://www.goarmy.com/nfindex.jsp

[116] Josh White, *It's a Video Game, and an Army Recruiter*, The Washington Post (May 27, 2005), at p. A25, *available at* http://www.washingtonpost.com/wp-dyn/content/article/2005/05/26/AR2005052601505.html.

[117] Official website, U.S. Army, America's Army, About, *at* http://www.americasarmy.com/.

[118] White, *supra* note 117.

teens how to use weapons, jump from airplanes, and fight as infantry. Recruiters have issued almost 2 million copies of the game.[119] According to the Army's official "America's Army" website, since its launch in July 2002, the game "has become one of the most popular computer games in the world."[120] A 2005 *Washington Post* article reports that "nearly 5.4 million users have registered on the game's Web site, and more than 2 million users have passed through basic training in the latest version of the game, which focuses on the Special Forces."[121]

Young persons are not making genuinely voluntary decisions to become soldiers when they are lured into such a "choice" with exaggerated, false promises of financial incentives, academic and professional opportunities. Furthermore, any verbal promises made during the recruitment effort are explicitly not binding on the military, which expressly claims the right to make unilateral changes at any time, even to bonus amounts written into an enlistment contract**.** As noted in section V(1) above, increased allegations of recruiters making false promises often go unheeded, with young recruits finding themselves locked into military service contracts that do not reflect the incentives and bonuses they were promised. When recruits enlist they must sign the enlistment form, DD Form 4, which explicitly states that the Armed Forces are only bound by the conditions detailed in this particular form, warning in bold capital letters that "**ANYTHING ELSE ANYONE HAS PROMISED ME IS NOT VALID AND WILL NOT BE HONORED**" (emphasis in original). The form further states that regardless of even the incentives contained in the enlistment document itself, the government further reserves the option to change without notice to the soldier, the "status, pay, allowances, benefits, and responsibilities."[122]

3. Recruits are not fully informed of the duties and dangers of military service eliminating their ability to make informed decisions

The U.S. government states in its report (para. 23) that the "comprehensive briefing", which includes the MEPCOM and Enlistment contract, constitutes a "safeguard" that serves to inform new recruits about the duties of military service. However, an examination of the documents reveals that they do not sufficiently outline the duties and risks inherent in military service. For example, Delayed Entry Program applicants must go through a preaccesion interview (PAI).[123] These interviews are often times conducted in groups, if the MEPS commander so chooses.[124] Such an environment, where the recruit is surrounded by his peers, inhibits an open and frank discussion. The recruit may feel uncomfortable to disclose personal queries and uncertainties. The MEPCOM regulation allots only one hour for the interview.[125] Such a limited period of time cannot be sufficient to provide a thorough discussion, nor can it be enough time to allow the recruit to make a well thought-out and informed decision, the outcome of which will seriously impact his or her life and health.

Recruiters are not required to, and therefore rarely do, candidly discuss the duties and risks associated with service in the military or the likelihood of soldiers actually accessing the

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[119] *Id.*
[120] America's Army, About, *available at* http://www.americasarmy.com/about/.
[121] White, *supra* note 117.
[122] DD Form 4, Partial Statement of Existing U.S. Laws: (B) Agreements 8 (c), *available at* http://armyrotc.syr.edu/Files/forms/DD%20004.pdf.
[123] USMEPCOM Regulation 601-23, at para. 5-6.
[124] USMEPCOM Regulation 601-23, at para. 5-9 (b).
[125] USMEPCOM Regulation 601-23, at para. 5-9 (b).

promised incentives. Interviews with young persons who met with recruiters confirm that no such information is volunteered by the recruiter who instead solely focuses on presumed benefits. High School students in Lowell, Massachusetts shared with WILPF that the recruiter they met with "did not mention any dangers or risks in enlisting; she only highlighted the good money, getting money for a college education and good vacation benefits. She pointed to her car, calling it "my baby," and said she was able to buy it because of her military salary."[126] The information provided about the duties involved in military service highlighted "working with computers" and that "boot camp is not bad."

Apart from hiding from young recruits the real risks inherent in armed service, recruiters and military regulations mislead recruits about prevalence of sexual harassment and assault of young women (see section V(1), above) and gay, lesbian and bisexual individuals in the U.S. military. Under U.S. military law, recruits can be forced out of the service at any time if they have "engaged in, attempted to engage in, or solicited another to engage in homosexual act" unless they can demonstrate that they are not persons who may have "a propensity to engage in, or intend to engage in homosexual acts."[127] Individuals forced out in such circumstances lose any claim to any of the benefits that led to their enlistment in the first place. Not only does this institutionalized policy pressure young persons to live in constant fear about their possible sexual orientation, it legitimizes homophobic violence and intimidation against young persons who are or perceived to be gay or bisexual.

The U.S. government report also fails to include any information per the *CRC Guidelines on State Reports* concerning specific information "made available to the volunteers, and to their parents or legal guardians allowing them to formulate their own opinion and to make them aware of the duties involved in the military service."[128] No copy of any materials used for this information was annexed to the report. In fact, in preparing this alternative report, WILPF had great difficulty finding these documents – and could only access some of the forms mentioned in the U.S. government report - which should be easily and readily accessible to the public.

4. Recruiters threaten young recruits with grave penalties for changing their minds about the military.

While Department of Defense instructions explicitly permit recruits to withdraw (or "separate") from the Delayed Entry Program (DEP) without any legal repercussions,[129] in reality

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[126] Interview with Virginia Pratt, WILPF – Boston, *supra* note 7.

[127] Restrictions on Personal Conduct in the Armed Forces, USMEPCOM Form 601-23-4-E (Feb. 1, 1998); *see also* 10 U.S. Code sec. 654 (b)(1) ("A member of the armed forces shall be separated from the armed forces ….if … the member has engaged in, attempted to engage in, or solicited another to engage in a homosexual act."); Department of Defense Directive: *Enlisted Administrative Separations*, Directive 1332.14: Enlistment Administrative Separations (current as of Nov. 23, 2003), at para. *E3.A4.1 (*Guidelines for fact-finding inquiries into homosexual conduct include marrying or attempting to marry someone of the same biological sex).

[128] CRC Guidelines on State Reports under CRC OPAC, *supra* note 27, at para. 9(d).

[129] Department of Defense Directive: *Enlisted Administrative Separations*, Directive 1332.14: Enlistment Administrative Separations (current as of Nov. 23, 2003), at para. E3.A1.1.5.5: Separation from the Delayed Entry Program, *available at* http://www.dtic.mil/whs/directives/corres/pdf/133214p.pdf. "A person who is in the Delayed Entry Program may be separated … upon his or her request when authorized by the Secretary concerned." *Id.* at para. E3.A1.1.5.5.1 In addition, "an Entry-Level Separation for a member of a Reserve component separated from the Delayed Entry Program is "under honorable conditions."" *Id.* at para. E3.A2.1.3.3.1.4. Separation is defined as "A general term that includes discharge, release from active duty, release from custody and control of the Armed Forces, transfer to the IRR, and similar changes in Active or Reserve status."

recruiters often mislead recruits about this option and threaten recruits with penalties if they decide to withdraw. The U.S. government report fails to highlight this option for young recruits or to acknowledge incidents of recruiters who - pressured to meet recruitment quotas of at least two new recruits a month - intentionally intimidate reluctant youths into fulfilling enlistment contracts.

In an effort to curb cases of recruiters misleading and threatening recruits, U.S. Army Regulation 601-95 specifically forbids recruiters to tell a recruit that he or she must "go in the Army or he or she will go to jail," or that "failure to enlist will result in a black mark on his or her credit record," or "any other statement indicating adverse action will occur if the applicant fails to enlist."[130] Army recruiters are further cautioned not to "threaten, coerce, manipulate, or intimidate Future Soldiers, nor may they obstruct separation requests."[131] Navy Regulations stress that threatening a DEP recruit with disciplinary action for choosing to withdraw is "inconsistent with the concept of an all-volunteer force."[132]

Yet even with explicit guidance, in practice, recruiters continue to unduly pressure, coerce, and threaten young recruits to intimidate them to remain in the program. Recruiters neglect to inform students that they have absolutely no obligation to enlist on completion of the DEP.[133] Young people have reported that recruiters have harassed them with verbal abuse, the threat of fines, possible prison time, and other legal consequences, for expressing their desires to separate from the program.[134] Bill Galvin, a counseling coordinator with the Center on Conscience and War, helped a young man get a discharge after he changed his mind about enlisting: "The recruiter said to him that Sept. 11 changed everything — 'If you don't report, that's treason and you will be shot.'"[135] Another soldier in South Carolina asked to be discharged from the DEP and was threatened with "AWOL charges, a $50,000 fine, and possible prison time" if he refused to go on active duty. The soldier was discharged after he and his family raised complaints.[136] The Campus Anti-War Network, a national grassroots network of students opposing military recruiters in schools, reported a case of a Houston recruiter "caught on tape telling a young man that he would be arrested if he didn't show up for his recruiting session."[137]

Recruiters have misled recruits about penalties for leaving the service before they turn 18. With general recruitment quotas and an army command goal to limit "DEP loss to no more than 10% of recruits," recruiters are instructed "to make every effort to resell [service in the armed

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[130] U.S. Army, USAREC Regulation 601-95: *Personal Procurement: Delayed Entry and Delayed Training Program* (July 17, 2002), at para. 3-1(b). *available at* http://www.usarec.army.mil/im/formpub/REC_PUBS/r601_95.pdf.
[131] U.S. Army, USAREC Regulation 601-56: *Personal Procurement: Waiver, Future Soldier Program Separation, and Void Enlistment Processing Procedures* (May 5, 2006), at para. 3-1(c), *available at* http://www.usarec.army.mil/im/formpub/REC_PUBS/R601_56.pdf.
[132] Commander, Navy Recruiting Command, Navy Recruiting Manual - Enlisted COMNAVCRUITCOMIST 1130.8F, 6A-6, Note 1, *available at* http://usmilitary.about.com/library/pdf/navrecruit.pdf.
[133] Summary of Counter Recruitment Training, *supra* note 69.
[134] Kathy Gilberd, *Recruiters Lie*, Draft Notices (November-December 2004), *available at* http://www.comdsd.org/pdf/Recruiters_DEP_2004.pdf.
[135] *Id.*
[136] *Id. citing* Associated Press (June 20, 2004).
[137] Campus Antiwar Network, College Not Combat: Get the Military Out of Our Schools, *available at* http://campusantiwar.net/components/com_docman/dl2.php?archive=0&file=Q29sbGVnZU5vdENvbWJhdF9wYW1waGxldF9DQU4ucGRm (last visited Nov. 10, 2007).

forces to] those individuals who request separation [release]."[138] Pressuring young adults into military service for which they were recruited as impressionable teenagers and that could fundamentally alter their physical and mental wellbeing contravenes CRC OPAC article 3(3)(a) which requires that recruitment of children be "genuinely voluntary."

5. In violation of CRC OPAC, article 3(3)(b) Recruitment is carried out without the informed consent of the recruit's parents or legal guardians

Recruiters actively recruit young students. They roam freely through the halls of secondary schools, are present at school events, and meet and speak with students about the Armed Forces - without parental awareness, much less parental consent. Through the No Child Left Behind Act, recruiters are also provided with students' personal data to use freely for recruitment purposes, without parental consent. Although parents have the option of providing a written letter to the school requesting that their child's information not be disclosed, most parents are neither informed nor are aware of this right to "opt-out". Schools have the responsibility of informing parents that they have the right to refuse the disclosure of their child's personal information to military recruiters, but they often fail to do so effectively. Schools in need of financial support do not wish to risk losing federal educational funding, and are therefore not inclined to make active attempts to inform parents of this right.[139] For example, over the summer the Berkeley Unified School District board decided to release student contact information to military recruiters after it received a letter from the office of the U.S. Secretary of Defense threatening the withdrawal of federal funds, which would have amounted to a loss of $10 million annually, or 10% of the district's budget.[140] Parents and students now must to individually "opt-out" of having such information disclosed to recruiters.

Many parents only become aware of the recruitment of their child when he or she needs their written consent on an enlistment form. Moreover, both laws and lax supervision embolden recruiters to bypass the parental consent requirement. Recruiters need only obtain the signature of one parent if the parents are divorced,[141] which has led to reported cases of recruiters targeting children of "broken families," especially low income single mothers.[142] The limited language abilities of some immigrant parents have also made them easy targets for military recruiters. Lynn Gonzalez, a GI Rights Counselor from San Diego, related a story about how "a recruiter came to the home of a Spanish-speaking mother who was opposed to her son joining the military

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[138] U.S. Army, USAREC Regulation 601-95: *Personal Procurement: Delayed Entry and Delayed Training Program* (July 17, 2002), at para. 3-1(b).

[139] A survey of nearly 1,000 students from 45 New York city schools found that two in five respondents (40%) did not receive a military recruitment "opt-out" form at the beginning of the 2006-2007 academic year. New York Civil Liberties Union and Manhattan Borough President Study, We Want You(th)! *cited in* Press Release by Manhattan Borough President, *Report Finds Military Recruitment At Select New York City Public Schools Violates Students' Rights,* US States News (Sept. 6, 2007). *District penalizes students Springfield News-Leader (Missouri)(*Aug. 29, 2007) at OPINION, pg. 2B; Cory de Vera , *School districts differ on military's access to students,* Springfield News-Leader (Missouri) *(Sept. 23, 2007),* at pg. 1A; Megan Feldman, *Yo Soy el Army; Uncle Sam wants you--especially if you're Latino,* Dallas Observer (Texas) *(*Feb. 8, 2007), at News, featured story; Pat Schneider, *Don't Ask, Don't Call; Counter-Recruitment Activists Try To Stop Military From Reaching Students,* The Capital Times (Madison, Wisconsin) (September 21, 2007) at pg. A1 (available from LexisNexis online Major Newspaper library).

[140] After being threatened with federal funding cuts, Berkeley High School will no longer be the only public high school in the country to withhold student contact information from U.S. military recruiters. Eric Boylan, *Facing federal cuts, UC-Berkeley-area school yields to recruiters,* Daily Californian University Wire (May 31, 2007.

[141] US MEPCOM Regulation 601-23, at page 3-5, para. i(2).

[142] Interview with Virginia Pratt, WILPF – Boston, *supra* note 7.

and had her sign a paper by saying that it was just for permission to get a medical workup. It turned out that she signed a consent form for her minor son's enlistment."[143] Please see Section IV(3), above, for more information on U.S. military recruiters targeting youths in immigrant communities.

VI. THE GOVERNMENT REPORT UNDERPLAYS NATIONAL COUNTER-RECRUITMENT EFFORTS AND COMMUNITY CALLS FOR A "STRAIGHT 18" STANDARD

Contrary to the *CRC Guidelines on State Reports on the CRC OPAC*, the U.S. government report provides no information about "national (or regional, local, etc.) debates, initiatives, or any campaign aimed at strengthening the declaration if it set a minimum age lower than 18 years."[144] Echoing the Committee's decision about the "fundamental importance of raising the age of all forms of recruitment of children into the armed forces to eighteen years,"[145] national and local organizations strongly support a straight 18 standard for recruitment and deployment. Grass roots community efforts by groups with memberships across the country such as, WILPF, Campus Antiwar Network, GI Rights Hotline, American Friends Service Committee, Veterans for Peace, Center on Conscience and War, The National Network Opposing Militarization of Youth, and Peace Action, War Resisters League, Pledge of Resistance, Not Your Soldier, Iraq Veterans Against the War, try to counter the infusion of schools with pro-military programs with pro-peace education. A vibrant nation-wide counter-recruitment movement works to educate young people, parents and school administrators on alternatives to the armed forces (e.g. on funding sources for college), advising them on improper recruitment tactics, and informing them of their right to "opt-out" of having their personal information sent to recruiters. Absent understanding of viable alternatives of young people in terms of education, vocational and professional training and employment, their decision to enlist in the military cannot be deemed to be truly voluntary. A sampling of grassroots organizations made aware of the filing of this alternative report with the committee have signed this report. Please refer to the Appendix of this report.

[143] Lynn Gonzalez, GI Rights Counselor, San Diego Military Counseling Project *cited in* Gilberd, *supra* note 135.
[144] CRC Guidelines on State Reports under CRC OPAC, *supra* note 27, at para. 8.
[145] CRC Recommendation on Children in Armed Conflict, *supra* note 28, at para. 5.

VII. SUGGESTED QUESTIONS FOR THE US GOVERNMENT

1. Could the government provide the Committee with disaggregated data on recruits under 18 years of age, by gender, age, region, social and ethnic origin, rural or urban areas, and military ranks?

2. What measures has the government taken to ensure "special protection" for enlisted persons under the age of 18, especially those on active duty, beyond the vague adherence to "give priority to those who are the oldest," as referenced in para. 21 of the government report?

3. The government report fails to adequately outline the safeguards adopted to ensure that recruitment is genuinely voluntary, as required under Article 3(2) of the CRC OPAC.

   3.1 Could the government provide the Committee with information on specific "aggressive" recruitment tactics, as authorized by Title 10 of the U.S. Code Section 503 and utilized by the U.S. Armed Forces?

   3.2 What safeguards exist to limit the level and degree of aggressive recruitment tactics?

   3.3 What limits are placed on the frequency of recruiter visits and calls to homes of potential recruits and on recruitment activity in schools, including on locations within schools and recruiter use of instructional time?

4. According to the U.S. Government Accountability Office on Military Recruiting (2006), recruiters have resorted to "overly aggressive tactics, such as coercion and harassment," and even criminal activity to attract young persons to the military. While cautioning that official numbers are likely too low because the services fail to track recruiter misconduct and many incidents go unreported, the GAO report cited a jump of more than half in the number of substantiated cases of improper recruitment tactics, ranging from false promises to criminal violations, such as sexual harassment.

   4.1 What measures has the government taken to ensure consistent tracking, oversight, and punishment of recruiters who engage in improper or abusive recruitment tactics, such as making false promises, forging documents, sexual intimidation and assault, and threats and coercion?

   4.2 What civil and criminal penalties have been imposed on recruiters who employ such recruitment tactics?

5. What specific incentives (scholarships, advertising, games, meetings at schools, etc.) are being offered by recruiters of the national armed forces to influence and persuade potential recruits under the age of 18 to enlist in the military?

6. Could the government provide the Committee with a detailed, step by step description of permitted tactics used in recruitment of persons under the age of 18?

7. Title 10 of the United States Code Section 505, relating to enlistment in the armed services, states that "…no person under eighteen years of age may be originally

enlisted without the written consent of his parent or guardian, if he has a parent or guardian entitled to his custody and control."

7.1 Could the government provide the Committee with information on what specific safeguards it has maintained to ensure that parental consent is given before recruitment begins, and to ensure that written consent is in fact "informed" consent, in accordance with Article 3(3) of the CRC OPAC?

8. What specific measures has the government taken to ensure that both parents or legal guardians of a recruit under 18, when available, jointly provide informed consent?

9. The government report neglects to attach copies of the materials (i.e., MEPCOM Regulation 601-23 and the enlistment form: DD Form 4) it cites in para. 23 as the foundation for the "comprehensive briefing" referred to in the U.S. declaration to the CRC OPAC to ensure informed, genuinely voluntary decisions to join the armed forces.

9.1 What specific written information, relating to the duties and potential *risks* of military service, do these documents provide to potential recruits and their parents or legal guardians?

9.2 Further, what guidelines exist to ensure consistent information relating to the duties and potential risks of service is communicated (including orally) to potential recruits, recruits, and their parents or legal guardians?

9.3 How do supervisors, such as commanding officers, hold recruiters accountable for conveying this information in practice?

9.4 What language is used in reference to risks and duties in military brochures, posters, advertising, or videos?

10. According to the No Child Left Behind Act, schools must provide the military with contact details for all students or risk losing federal funding. Individual students and parents may submit written "opt-out" requests to preclude recruiters from access to the students' personal information used to target them for recruitment purposes.

10.1 What specific measures has the government undertaken to inform students, parents, school administrators, and the public at large of this option to withhold private information from being released to recruiters?

11. The government report in para. 21 states that "many enlistment contracts are signed with high school seniors who may be as young as 17. While waiting for graduation, these individuals are placed in the Delayed Entry Program."

11.1 What measures has the government taken to ensure that persons under 18, who enter the Delayed Entry Program, understand that they have the option to withdraw before entry into active duty training, without any repercussions?

11.2 What disciplinary action has been taken to investigate and punish recruiters who threaten such recruits with penalties and imprisonment if they wish to withdraw from the Delayed Entry Program?

12. What steps has the government taken, whether through national, regional, or local debates, initiatives or campaigns, or with non-governmental organizations, grassroots and community groups, to raise the minimum age for voluntary recruitment from 17 years of age to 18 years?

VIII. SUGGESTED RECOMMENDATIONS FOR U.S. COMPLIANCE WITH THE CRC OPAC

1. Raise the minimum age for recruitment and enlistment to 18 and explicitly prohibit by law the recruitment of children under the age of 18 into the armed forces.

   If as the U.S. government report states in para. 21 on p. 7, 17 year-olds comprise only 4% of enlisted forces, raising the age to 18 would only minimally affect the total number of enlistees, yet will allow the U.S. to fully comply with the spirit of the CRC OPAC and represent a great gain for local communities.

2. Amend existing laws, such as 10 U.S. Code Section 505, to require that no one under the age of 18 be allowed "direct participation" in hostilities. Provide explicit legislative definition of "direct participation" in hostilities in keeping with the mission of the CRC OPAC to exclude children from ANY involvement in armed conflict, including in intelligence and support operations.

3. Harmonize the four implementation plans filed by separate branches of the U.S. military (see U.S. government report's Annex III: U.S. Military Service Plans: the Army's Child Soldier Treaty Implementation Plan; Air Force Implementation Plan: Child Soldier Treaty; Navy Implementation Plan; and Marine Corps Implementation Plan) to uniformly and absolutely prohibit the participation in direct hostilities by service members under the age of 18. Eliminate the discretionary power of the commander in charge to weigh the mission requirements against the practicability of diverting the 17-year-old service members from combat by banning the deployment of any 17-year-olds to hostile zones until they reach the age of 18.

4. Ensure that the violation of the CRC OPAC regarding the recruitment of children and the involvement of children in hostilities be explicitly criminalized in law, and not subject to shifting policies.

5. Institute, through legislation, harsher punishment, uniform among the five branches of the military, for recruiters who conduct improper military recruitment, as defined in MEPCOM Regulation 601-23. Ensure strict, prompt penalties, for recruiters who sexually proposition, harass, or abuse potential recruits, especially girls and young women.

6. Amend the language of 10 U.S. Code Section 513 on Enlistment: Delayed Entry Program to state that those under the age of 18 who enlist in the armed forces *must* not be put on active duty until they reach the age of 18, making the Delayed Entry Program a requirement rather than an option.

7. In compliance with article 3 of the CRC OPAC, adopt legislation to revise 10 U.S. Code Section 505 to require *informed* written consent from *both* parents (whether married, living apart or divorced) or guardians, before enlisting recruits under the age of 18.

8. Adopt legislation revising 10 U.S. Code Section 503 to limit the currently permitted "aggressive" recruiting campaigns and programs aimed at influencing potential recruits, and specifically disallowing providing middle and secondary school students with expensive gifts and gadgets.

9. Review and revise recruitment advertising campaigns that target young teenagers, youths of color and of lower income communities. All recruitment advertising (including the distribution of video games, internet advertising on teen sites) authorized and paid for with government funds shall prominently display a disclaimer to the effect "service in the U.S. armed forces is restricted to adults age 18 and over."

10. Strengthen legal safeguards to prevent coercion in recruitment to the military by improving the MEPCOM 601-23 Regulation and the DD Form 4 (as mentioned in the U.S. government report in para. 23 on p. 7) which make up the "comprehensive briefing" provided to new recruits, by requiring thorough and detailed information about the duties and risks involved in military service. Require recruiters to discuss duties and risks of enlistment, as well as statistical information showing the realistic chances of obtaining promised health, education and professional incentives starting with initial contact between recruiters and potential recruits.

11. Abolish the requirement – as under the No Child Left Behind Act – that schools provide the military with contact details for all students or risk losing federal funding. Protect the privacy of student information and choice by prohibiting disclosure of student information to military recruiters unless the student and his/her parents or guardians expressly permit the sharing of such information with military recruiters. At a minimum, require school officials to ensure that information has been provided to both students and parents on their right to "opt-out" of having students' personal information released to military recruiters by obtaining signed confirmation that they have received such notice.

12. Phase out Middle School Cadets Corps (MSCC) and Junior Reserve Officers' Training Corps (JROTC) as impermissible military programs in civilian schools.

    During the phase out of these programs, the U.S. government shall:

13. Eliminate supplemental funding to MSCC and JROTC programs that target schools in economically-deprived areas and replace with programs that provide viable economic and social alternatives to military service in terms of expanded scholarships and opportunities for educational, vocational and employment opportunities, particularly for youths from low income and historically disadvantaged backgrounds.

14. Require MSCC and JROTC instructors in schools to possess minimum teaching credentials (including a baccalaureate / B.A. or B.S. degree) equivalent to other, non-military affiliated teachers in comparable schools.

15. Integrate education in international human rights and humanitarian law standards, including information about the CRC OPAC, into the curriculum of JROTC, ROTC and into courses in military institutions.

16. Replace military education with human rights education and, in particular, peace education in the curricula of all schools and train teachers with respect to including these themes in children's education.

17. Forbid firearm training and exposure to both real and replica (e.g. wooden) firearms in all MSCC and JROTC programs, such as the "Leadership Education and Training" curriculum which includes drill and rifle team activities for middle and high school students.

18. Adopt legislation to abolish trade of arms, including small arms and light weapons to countries with current or recent armed conflict that may involve children, or when the final destination is a country where children are known to be - or may potentially be - recruited or used in hostilities.

19. Adopt the Child Soldier Prevention Act of 2007 [Senate Bill No. 1175] pending in Congress in order limit U.S. Military Assistance to governments known to be recruiting and using child soldiers.

20. Review the programs and support offered to demobilized child soldiers who enter the United States as refugees or asylum seekers, either individually or with their families, to ensure that appropriate psychological assistance and sufficient material support is provided to former child soldiers as they are re-integrated into civilian life and communities.

21. Ratify the Convention on the Rights of Child, as the main treaty which provides guidance for the interpretation of its Optional Protocols, including the CRC OPAC, in terms of the best interests of the child and the right to education.

22. Ratify the Rome Statute of the International Criminal Court.

23. Ensure that information about the CRC OPAC and the CRC Concluding Comments on the U.S. government report under CRC OPAC are widely disseminated to the responsible government entities, such as the Department of Defense and the command of the five services of the armed forces, the Governors and Departments of Education of the fifty states, as well as to the public, including through the schools (e.g., military schools, MSCC and JROTC programs) and via the media.

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IX. APPENDIX: ENDORSING GRASSROOTS ORGANIZATIONS
(UPDATED JANUARY 30, 2008)

NATIONAL ORGANIZATIONS

American Friends Service Committee
Philadelphia, Pennsylvania

- The American Friends Service Committee (AFSC) is a national Quaker-affiliated organization, founded in 1917, that strives to invoke nonviolence, justice, and peace through its work. AFSC has branches throughout the nation including offices in New York, Massachusetts, California, Georgia, Washington, Maryland, Iowa, Illinois, Hawaii and Alaska. AFSC also has a strong international presence, with offices located throughout Africa, Asia, Europe, Latin America, the Caribbean, and the Middle East. The AFSC National Youth & Militarism Program has been active since 1986 in movements to reduce the impacts of war and military institutions on young people's lives. The program aims to halt the growing influence of the military in U.S. schools and helps students and educators work for peace and better education in their communities.
- For more information is available on the organization's website: www.afsc.org.

Buddhist Peace Fellowship
Berkeley, California

- The Buddhist Peace Fellowship (BPF), founded in 1978, links Buddhist teachings of wisdom and compassion with progressive social change. BPF's work, including its youth programs, is guided by intentions to practice nonviolence, protect and extend human rights, support gender and racial equality, and challenge all forms of unjust discrimination, and work for economic justice and the end of poverty.
- For more information please see http://www.bpf.org/html/home.html

National Economic and Social Rights Initiative
New York, New York

- The National Economic and Social Rights Initiative (NESRI) promotes a human rights vision for the United States that ensures dignity and access to the basic resources needed for human development and civic participation. NESRI works with the social justice community to develop strategies, models and structures for effectively using international economic and social rights standards in US advocacy.
- For more information please see www.nesri.org

National Network Opposing Militarization of Youth
Malibu, California

- The National Network Opposing Militarization of Youth is a national networking body that brings together national, regional and local organizations to oppose the growing intrusion of the military in the schools and in young people's lives. This national network of groups works to counter military recruitment providing youth with peaceful and viable alternatives to achieve success in life.
- For more information please see http://www.nnomy.org/joomla/index.php

Peace Action
Silver Spring, Maryland

- Peace Action is the largest grassroots peace network in the nation, with 34 state affiliates and over 100 chapters nationwide. Peace Action organizes in local communities throughout the nation to educate the public on improper and coercive military recruitment tactics and strives to create more responsible policies.
- For more information please see: http://www.peace-action.org, and http://www.peace-action.org/pub/factssheets/PAfacts.pdf

Student Peace Action Network
Silver Spring, Maryland

- The Student Peace Action Network (SPAN) is a national, grassroots network of youth activists, young adults, high school, college and graduate students organizing for peace and justice and in opposition to war and militarism. Through its anti-recruitment campaign, Flunk the Military Machine, SPAN educates young people nation-wide of current U.S. improper and abusive military recruitment tactics, and has helped established youth anti-recruitment groups on campuses all across the U.S.
- For more information please see: www.Studentpeaceaction.org

Traprock Peace Center
Greenfield, Massachusetts

- Traprock Peace Center is a grassroots community based organization dedicated to counter-recruitment education, and conscientious objection to war efforts. Traprock provides organizational, educational and strategic support for student organizers doing counter-recruitment and anti-war work.
- For more information please see: http://www.grassrootspeace.org/

Women's International League for Peace and Freedom, U.S. Section
Philadelphia, Pennsylvania

- The Women's International League for Peace and Freedom (WILPF) is an international grassroots non-governmental organization with sections in 37 countries across the world. Active since 1915, WILPF is the oldest women's peace action organization in the world. WILPF is dedicated to the advancement of human rights both nationally and globally. The USA section of WILPF represents 5,000 members in 69 branches and in 39 U.S. States. Through WILPF USA's End Improper and Abusive Recruitment Project, the Advancing Human Rights Committee of WILPF coordinated the national project to document abusive and improper military recruitment strategies used by military recruiters on youths.
- For more information please see: http://www.wilpf.org/counter_recruitment_strategies.

Veterans For Peace
St. Louis, Missouri

- Veterans For Peace is a non-government organization founded in 1985. The organization is comprised of members across the country with chapters in 23 states. Members include volunteers and veterans of past and current wars. The organization provides the public with educational material on the truths of military recruitment and abusive recruiting strategies and proposes resolutions and policy changes to the U.S. government.
- For more information please see www.veteransforpeace.org

STATE AND LOCAL GROUPS

Addison County Citizens for Alternatives to Military Service (ACCAMS)
Cornwall, Vermont

- ACCAMS is a local counter-recruitment organization based in Addison County, Vermont focused on informing young people and their parents of their right to opt-out from having their information released to military recruiters. The group also channels its counter-recruitment efforts in providing educational material on the alternatives to military recruitment and service, and provides strategies for counter-recruitment in high schools.
- For more information please contact James Ross, email: ajross@shoreham.net.

Alternative Ideas to Military Service (AIMS)
Claremont, California

- AIMS is a group of local citizens centered in Claremont, California, committed to supporting peace and nonviolence. AIMS's counter-recruitment efforts include disseminating information in high schools on such topics as conscientious objection and the opt-out program. AIMS provides information to students and parents on nonmilitary sources of financial aid for continuing education.
- For more information please contact Gerald Haynes, email: haynesgdh@aol.com.

Better Alternatives for Youth (BAY) - Peace
Oakland, California

- BAY-Peace focuses on fighting back against aggressive military recruiting in our schools. It provides workshops and trainings to give young people real information about the military that recruiters would not want students to know. It reaches out to youth all over the Bay Area in northern California to organize for better alternatives
- For more information please see http://www.baypeace.org

Columbia River Fellowship for Peace (an affiliate of F.O.R.)
Hood River, Oregon

- Columbia River Fellowship for Peace (CRFP) is a non-profit community based group centered in the Mid-Columbia region of Oregon and Washington. CRFP's counter recruitment efforts include conscientious objector training workshops and Project Full Disclosure, which informs the community on the truths of military recruitment and educates students and parents of their right to opt out of having student's personal information released to military recruiters.
- For more information please see: http://www.columbiariverpeace.org/.

C.H.O.I.C.E.S. (Committee on High School Options and Information on Careers, Education and Self-Improvement)
Washington, DC

- The Committee for High School Options & Information on Careers, Education and Self-Improvement (C.H.O.I.C.E.S.) is a community-based peace organization centered in Washington D.C. C.H.O.I.C.E.S. is comprised of veterans, peace activists, and other volunteers. The group's counter-recruitment efforts include speaking in high schools to youth of the alternatives to military service, and informing them of the false promises of military recruiters. C.H.O.I.C.E.S. also offers civilian options for job skills and training, trade apprenticeships, and money for college.

- For more information please contact John Judge, email: copa@starpower.net

Committee on Helping Open and Informed Choices in Education and Schools (CHOICES)
Honolulu, Hawaii

- CHOICES is a local community-based network of volunteers centered in Honolulu, Hawai'i, working toward demilitarizing local schools in the area, and educating students and parents on the truths of military recruitment.
- For more information please see: http://www.choiceshawaii.org.

American Friends Service Committee – Hawaii
Honolulu, Hawaii

- The American Friends Service Committee of Hawaii was founded in 1968, and is dedicated to demilitarizing Hawai'i. The organization works with community members to educate Hawaiians on the detriments of militarization. The group also focuses on educating youth on current abusive military tactics and their option to opt-out of having their personal information sent to military recruiters.
- For more information please see: http://www.afschawaii.org/.

Koinonia PeaceAction Team
Americus, Georgia

- Koinonia Peace Action Team is a local Christian organization centered in Americus, Georgia, working to inform the public of the current militarization of schools. The organization's outreach efforts are specific to Latino and African American communities. The organization provides information and offers alternatives to military recruitment to students, parents and school personnel, in order to counter-balance the presence of military recruiters on school campuses.
- For more information please see: www.koinoniapartners.org.

Loudon Force
Leesburg, Virginia

- Loundon Force is a local community-based peace organization centered in Leesburg, Virginia. Through Loudoun Force's counter-recruitment campaign, Loudoun County Coalition on Recruitment Issues (LCCRI), the organization has worked to increase awareness among the community of improper recruitment tactics and has educated students and parents of their right to opt-out from having a student's personal information released to military recruiters in schools.
- For more information please see: www.loudonforce.org.

Massachusetts PeaceAction
Boston, Massachusetts

- Massachusetts PeaceAction (MAPA) is the statewide-affiliate of Peace Action, the nation's largest grassroots membership-based peace organization. MAPA is a community based organization localized in Cambridge, MA. Mass Peace Action local counter-recruiting activities include lobbying for comprehensive state legislation to better protect students' rights and privacy in schools, and addressing issues such as ASVAB, equal access and the need for a more accessible opt-out from military recruitment system in schools across the state.
- For more information please see: www.masspeaceaction.org

Military Free Oklahoma
Edmund, Oklahoma

- Military Free Oklahoma is a local community based organization focused on demilitarizing the state of Oklahoma. The organization strives to inform the community of aggressive military recruitment strategies, and works to use the large recruitment base in Oklahoma against recruiters with direct action.
- For more information please contact: Daniel Saunders, email: dsaunders@ucok.edu

Nonmilitary Options for Youth
Austin, Texas

- Nonmilitary Options for Youth is a community based group of students, teachers, activists, military veterans, and parents, based in Austin, Texas. The organization's counter recruitment work includes providing the community with a contrasting view on military enlistment and JROTC, educating youth about nonmilitary alternatives for job training and college financial aid, and promoting careers in peacemaking and social change.
- More information available at: http://www.progressiveaustin.org/nmofy/drupal/

Northwoods Peace Fellowship
Wausau, Wisconsin

Palisadians for Peace
Pacific Palisades, California

- Palisadians for Peace is a local community-based organization centered in Pacific Palisades, California. Palisadians for Peace provides informative counter-recruitment materials to students, parents and the community. The organization's outreach efforts are specific to the African American and Native American communities.
- For more information please contact Sandra Sunshine Williams, email: ulisandra.paz@verizon.net

PeaceAction Montgomery
Olney, Maryland

- Based in Olney, Maryland, Peace Action Montgomery has launched a counter-recruitment campaign to demilitarize Montgomery County Schools and works to inform students, parents, and school personnel of the right to opt out of military recruitment.
- For more information please see: http://www.peaceactionmc.org/counter_recruit.html

Peace & Human Rights Project, Peace & Justice Center
Burlington, Vermont

- The Peace and Justice Center of Burlington, Vermont is a community based peace organization working to counter military recruitment, inform students and parents of their right to opt out, and unmask military myths to the community.
- For more information please see: http://www.pjcvt.org/history.htm

Peace & Justice Coalition,
Prince George County, Maryland

- The Peace & Justice Coalition, the county-level chapter of Maryland United for Peace and Justice, works to limit the influence of military recruiters in its

area's public schools. The group aims to spread knowledge to local young people about non-military alternatives to work and school, and to remove military recruiters' special privileges in access to high school students.
- For more information please see http://www.justpeace-pgmd.org/counter-recruit/index.html

Project on Youth and Non-Military Opportunities
Encinitas, California
- Project YANO is a nonprofit community organization, based in San Diego County, which provides young people with educational materials on alternatives to military enlistment. The group is comprised of many armed forces veterans as well as other volunteers. Project YANO aims to educate school officials about the need to give students a more balanced view on the military, and informs students and their families of their right to opt out from having student information released to military recruiters.
- For more information please see: http://www.projectyano.org/

Truth and Alternatives to Militarism in Education (T.A.M.E.)
Madison, Wisconsin
- Truth and Alternatives to Militarism in Education (T.A.M.E.) is a community based organization located in Madison, Wisconsin. The organization is made up of students, parents, teachers, veterans, and community activists. T.A.M.E. has members all across the state of Wisconsin. The group works to limit recruiter access in schools, offers assistance to people interested in working to regulate military recruiting and strives to educate the community about larger issues related to the increasing militarization of schools. It encourages the development and enforcement of policies limiting the presence of the military in schools.
- For more information please see http://www.tamewisconsin.org/

Veterans For Peace
Santa Fe, New Mexico
- Veterans for Peace of Santa Fe, New Mexico is a state-wide affiliate of the national non-governmental organization of Veterans for Peace. The organization is comprised of veterans, activists, and volunteers who work to inform the Santa Fe community of coercive and misleading military recruitment strategies. The community-based organization also works to inform students and parents of their right to out and provides the community with a detail description of the truths of military service.
- For more information please see: http://www.vfp-santafe.org

Wisconsin Network for Peace and Justice
Madison, Wisconsin
- The Wisconsin Network for Peace and Justice (WNPJ), founded in 1991 is a coalition of more than 150 peace, human rights, religious, labor, and environmental organizations throughout the state. WNPJ facilitates activities, cooperation and communication among Wisconsin organizations and individuals working toward the creation of a world free from violence and injustice. It works in particular to inform youth of alternatives to militarism and distributes Truth in Recruiting flyers to local high school students.
- For more information please see www.wnpj.org